

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2368

By: Osborn (Leslie) and Wallace  
of the House

and

David and Fields of the  
Senate

11                               COMMITTEE SUBSTITUTE

12           An Act relating to revenue and taxation; amending 68  
13           O.S. 2011, Section 2357.43, as amended by Section 1,  
14           Chapter 341, O.S.L. 2016 (68 O.S. Supp. 2016, Section  
15           2357.43), which relates to income tax credits for  
16           certain persons; modifying provisions related to  
17           certain tax years; modifying provisions related to  
18           refund amount; and providing an effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19           SECTION 1.           AMENDATORY           68 O.S. 2011, Section 2357.43, as  
20           amended by Section 1, Chapter 341, O.S.L. 2016 (68 O.S. Supp. 2016,  
21           Section 2357.43), is amended to read as follows:

22           Section 2357.43   For tax years beginning after December 31,  
23           2001, there shall be allowed to a resident individual or a part-year  
24           resident individual as a credit against the tax imposed by Section

1 2355 of this title five percent (5%) of the earned income tax credit  
2 allowed under Section 32 of the Internal Revenue Code of the United  
3 States, 26 U.S.C., Section 32. However, this credit shall not be  
4 paid in advance pursuant to the provisions of Section 3507 of the  
5 Internal Revenue Code. For tax years which begin before January 1,  
6 2016, if the credit exceeds the tax imposed by Section 2355 of this  
7 title, the excess amount shall be refunded to the taxpayer. For tax  
8 years which begin on or after January 1, 2017, if the credit exceeds  
9 the tax imposed by Section 2355 of this title, fifty percent (50%)  
10 of the excess amount shall be refunded to the taxpayer. The maximum  
11 earned income tax credit allowable on the Oklahoma income tax return  
12 shall be prorated on the ratio that Oklahoma adjusted gross income  
13 bears to the federal adjusted gross income.

14 SECTION 2. This act shall become effective January 1, 2018.  
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16 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS  
17 AND BUDGET, dated 05/01/2017 - DO PASS, As Amended.  
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